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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 10/531,962             | CIOC ET AL.         |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | GERARD T. HIGGINS      | 1785                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 08/19/2010.
2. ☒ The allowed claim(s) is/are 36,38,41,44-46,49,50 and 57.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>20101009</u>.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|--|

Gerard T. Higgins  
/G. T. H./  
Examiner, Art Unit 1785

/Mark Ruthkosky/  
Supervisory Patent Examiner, Art Unit 1785



## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed 08/19/2010 has been entered. Currently claims 29, 32-36, 38, 41, 44-46, and 48-51 are pending and claims 1-28, 30, 31, 37, 39, 40, 42, 43, 47, and 52-56 are cancelled.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Andrew Wilford on 10/08/2010.

The application has been amended as follows:

Cancel claims 29, 32-35, 48, and 51

In claim 36 on lines 1-2, delete "and manipulating"

In claim 36 on lines 8-9, delete "a reflective layer on the layer of donor medium, a polymer disk on the reflective coating," and insert "and"

In claim 36 on line 12, delete "glass"

Art Unit: 1785

In claim 36 on line 12, delete "disk" and insert "medium"

In claim 36 on line 14, delete "and thereby reducing" and insert "to transfer the metallic ions into the glass storage disk and reduce"

In claim 36 on line 15, delete "and transferring the ions into the glass storage disk"

In claim 36 on line 16, delete "ions" and insert "metallic particles"

In claim 38 on line 2, immediately prior to "disk" insert "glass storage"

In claim 41 on lines 2-4, delete "further comprising the step of: reducing the metallic ions of the donor medium to metallic clusters of particles" and insert "wherein the reduction of metallic ions is effected"

In claim 45 on line 2, delete "further comprising the step of reading the medium" and insert "wherein the data stored can be read"

In claim 45 on line 3, delete "by" and insert "with"

In claim 45 on lines 4-5, delete "and thereby reading the data stored in the metallic particles"

In claim 46 on line 2, delete "45" and insert "36"

In claim 46 on line 2, delete "reading and writing of the medium are" and insert "reduction of metallic ions is"

In claim 49 on lines 2-3, delete "further comprising the step of deleting stored" and insert "wherein the"

In claim 49 on line 3, after "data" insert "stored can be deleted"

Art Unit: 1785

Add the following new claim 57:

“The method defined in claim 36, wherein the storage medium further has:

a polymer disk on the one face, and

a reflective coating between the layer of donor medium and the polymer disk.

***Allowable Subject Matter***

3. Claims 36, 38, 41, 44-46, 49, 50, and 57 are allowed.

4. The following is an examiner's statement of reasons for allowance:

The cited prior art does not teach or suggest the method wherein data is stored by transferring metallic ions from the layer of donor medium into the glass storage disk and also reducing the metallic ions to metallic particles using focused electromagnetic or particle irradiation. The prior art does not teach this recording medium utilizing this combination of steps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERARD T. HIGGINS whose telephone number is (571)270-3467. The examiner can normally be reached on M-F 10am-8pm est. (Variable one work-at-home day).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Ruthkosky can be reached on 571-272-1291. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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